

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:

UNITED STATES OF AMERICA

- v. -

GREG ZEHNER,

Defendant.

:
: CONSENT PRELIMINARY ORDER
: OF FORFEITURE/
: MONEY JUDGMENT
:
: S1 19 Cr. 485(AT)

- - - - - x

WHEREAS, on or about October 21, 2019, GREG ZEHNER, (the "defendant") was charged in a six-count Superseding Information, S1 19 Cr. 485 (AT) (the "Information") with (a) four counts of violating Title 21, United States Code, Section 846; and (b) two counts of violating Title 21, United States Code, Section 841(b)(1)(C) and Title 18, United States Code, Section 2;

WHEREAS, the Information included a forfeiture allegation as to Counts One through Six of the Information, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 853, of any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the offense charged in Counts One through Six of the Information, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation charged in Counts One through Six of the Information, including, but not limited to a sum of money in United States

currency representing the amount of all proceeds obtained as a result of the offense charged in Counts One through Six of the Information;

WHEREAS, on or about October 21, 2019, the defendant pled guilty to Counts One through Six of the Information, pursuant to an agreement with the Government, wherein the defendant admitted to the forfeiture allegations with respect to Counts One through Six, and agreed to forfeit, pursuant to Title 21, United States Code, Section 853, a sum of money representing the amount of proceeds constituting or derived from the offenses charged in Counts One through Six of the Information;

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$435,250 in United States currency, representing proceeds traceable to the commission of the offenses charged in Counts One through Six of the Information; and

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Geoffrey S. Berman, United States Attorney, Assistant United States Attorney, Andrew Thomas of counsel, and the defendant, and his counsel, Steven Raiser, Esq., that:

1. As a result of the offenses charged in Counts One through Six of the Information, to which the defendant pled guilty, a money judgment in the amount of \$435,250 in United States currency (the "Money Judgment"), representing proceeds traceable to the

commission of the offenses charged in Counts One through Six of the Information.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, GREG ZEHNER, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

4. The United States Marshals Service shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.


7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

9. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

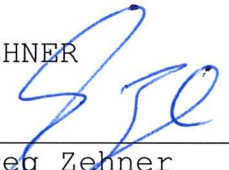
GEOFFERY S. BERMAN
United States Attorney for the
Southern District of New York

By: 

Andrew Thomas
Assistant United States Attorney
(212) 637-2106


2/18/2020
DATE

GREG ZEHNER

By: 

Greg Zehner


2/18/2020
DATE

By: 

Steven Raiser, Esq.
Attorney for Defendant
Raiser & Kenniff, P.C.
300 Old Country Road
Suite 351
Mineola, New York 11501

2/18/2020
DATE

SO ORDERED:



THE HONORABLE ANALISA TORRES
UNITED STATES DISTRICT JUDGE

2/18/20
DATE